STATEMENT OF WORK FOR BUILDING INSPECTION SERVICES



Bureau of Overseas Buildings Operations
Directorate of Planning and Real Estate
Office of Acquisitions & Disposals
(OBO/PRE/OAD)

August 3, 2015

PROJECT REQUIREMENTS

1. GENERAL INFORMATION

The Bureau of Overseas Buildings Operations (OBO) of the U.S. Department of State requires a multi-discipline building inspection of property/is under consideration for acquisition. The product of this inspection will be a comprehensive Building Inspection Report, as described below.

1.1. TITLE: BUILDING INSPECTIONS FOR THE ACQUISITIONS OF AN INSPECTION FOR THE CHIEF OF MISSION RESIDENCE

1.2. LOCATION

The property/is located on <u>No. 1: Plot 32, west 37 Khalidiya area,</u> opposite the American Community School in Abu Dhabi, United Arab Emirates

1.3. PURPOSE

The purpose of this Scope of Work is to produce comprehensive building inspection reports that will assist the Department of State in its evaluation of properties that are under consideration for acquisition. The reports will be used as partial justification for the approval or disapproval of any or all of these acquisitions.

1.4. SCOPE OF THE PROJECT

The scope of this effort shall consist of an extensive site and building survey of the proposed property by a professional, certified building inspector with substantial experience in work of this type and magnitude. The final product shall be a separate, comprehensive Inspection Report for each property that accurately describes all existing conditions and provides recommendations and preliminary cost estimates for all required remedial work.

2. UNIFORM PROJECT REQUIREMENTS

- 2.1. The contractor shall perform the work in accordance with this Statement of Work (SOW) and at least one of the following guidelines:
 - 2.1.1 American Society of Home Inspectors (ASHI), *Standards of Practice and Code of Ethics*, latest edition.
 - 2.1.2 Royal Institute of Chartered Surveyors (RICS) of the United Kingdom and its international affiliates, standards of practice and code of ethics, latest edition.
 - 2.1.3 Canadian Association of Home and Property Inspectors (CAHPI), standards of practice and code of ethics, latest edition.

2.2. REPORT FORMAT

The report shall be delivered in an ISO A4 (8½" x 11") loose-leaf format. Submit an electronic version of the report on CDROM and readable/editable in MS Office and/or AutoCAD.

2.2.1. Written Report

The written report shall be organized into sections as follows:

- I. Introduction: Name and address of property, etc.
 - Location Map
- II. Standards: Describe which professional organization's Standards of Practice have been followed in the preparation of the report.
- III. Scope of Inspection: define in general terms what aspects of the property were included in the inspection, as well as any limitations or exclusions and why those elements were excluded.
- IV. Executive Summary: Provide a summarized overall quality control assessment/inspection report of the property.
- V. Property Elements and Systems: For each property, provide thorough, detailed descriptions of each of the following elements and systems:
 - 1. Roof (including sheathing and drainage, but not structure)
 - 2. Exterior walls and soffits
 - 3. Windows and exterior doors
 - 4. Porches, balconies, and any other attached exterior elements
 - 5. Interior walls and ceilings
 - 6. Interior cabinetry / woodwork and doors
 - 7. Interior finishes
 - 8. Floors
 - 9. Structure
 - Foundations
 - Bearing walls and columns
 - Roof structure
 - Any unusual design features
 - 10. Thermal Insulation
 - 11. Heating and Cooling Systems
 - 12. Plumbing System & Fixtures
 - 13. Electrical System & Fixtures
 - 14. Appliances
 - 15. Site structures (garage, tool shed or any other separate structures, if applicable.)
- VI. Deficiencies Reports: Provide details of any deficiencies observed during the course of the inspection, including but not limited to:
 - 1. Location of specific item
 - 2. Condition of the item, describing the deficiency

- 3. Explanation or cause of the deficiency
- 4. Impact or consequences that the deficiency will cause, based on the system or component not meeting its intended function.
- 5. Recommended action to address the deficiency
- VII. Potential Hazards: Describe the type and location of any potentially hazardous conditions, materials or substances observed during the inspection. To include, but not limited to, the presence of asbestos and/or hydrocarbons.
- VIII. Glossary: Definitions of terms used in the report.

2.2.2 Photos

Digital photos shall be provided as required to clearly and comprehensively depict the entire property, at a minimum resolution of 3.0 megapixels. Indexed prints shall be included in the binder, and the number, location and orientation of each photo shall be indicated on the floor plans and/or site plan. Photos shall be provided as follows:

- 1. Site: as required to show all portions of the property, including side and rear yards.
- 2. Exterior (facades): at least 2 general views of each façade, and at least 2 close-up views of each deficiency mentioned in the report.
- 3. Roof: Close-up photos as required to show the general condition of the roof, showing the roofing material, flashing, gutters, drains, chimneys, vents, or other elements of the roof system that can be viewed from the ground or accessed with reasonable ease.
- 4. Interior: at least 2 general views of each occupied space, at least 1 of each unoccupied space (such as closets), and at least 2 close-up views of each deficiency mentioned in the report.

2.2.3 Plans

Provide a site plan and floor plans of each property, as follows:

1. Site plan – 1:500 minimum scale, with graphic bar scale, north arrow, property lines and major site features (such as paved areas an secondary structures) clearly indicated. Locations and orientations of photos can be indicated on this plan, but only if they do not obscure the above information. Otherwise, separate photo key plans must be provided. (This is not a formal boundary survey, which is being contracted separately).

2. Floor plans – 1:100 minimum scale, with graphic bar scale, north arrow and major fixed design features (such as kitchen and bath fixtures) clearly indicated. Locations and orientations of photos can be indicated on this plan, but only if they do not obscure the above information. Otherwise, separate photo key plans must be provided.

It would be preferable for the site and floor plans to be provided in CAD format using AutoCAD. Otherwise, drawings can be delivered as Adobe Acrobat PDF files.

2.3. SCOPE OF CONTRACTOR SERVICES

The Contractor shall be responsible for all actions required to produce the Building Inspection Reports. The Contractor shall visit the sites to inspect and evaluate all parts of the properties. These evaluations shall be thoroughly documented in the Building Inspection Reports and delivered to the Contracting Officer's Representative, who will forward it to the U.S. Department of State's Bureau of Overseas Buildings Operations (OBO) for technical review.

2.3.1 Pre-Construction Services

As a minimum, the Contractor shall review drawings and specifications for compliance with local codes, ordinances, other regulatory requirements, and best building practices that might have an impact on the acquisition. The contractor shall produce a written report stating the findings and conclusions of the review as described above. Deficiencies in drawing coordination and completeness should be noted. Conflicts between drawings and specifications should be noted. Specification of inferior systems and materials should be noted.

2.3.2 Services During Construction

As a minimum, the Contractor shall photographically document all existing conditions, inspect all systems, elements and finishes to assess their installation, and need for corrective action. Deviation from local codes, ordinances and other regulatory requirements that might have an impact on the acquisition should be investigated. The contractor shall produce a written report stating the findings and conclusions of the inspections, as described above after each inspection. Inspections should occur no less frequently than monthly during the construction period with additional visits as necessary to observe the installation of major building systems including, but not limited to, structural, electrical, mechanical, and plumbing. Site conditions prior to interior finish installation should also be observed.

2.3.3 Post-Construction Services

As a minimum, the Contractor shall photographically document all existing conditions, take field measurements to produce measured drawings or to verify existing drawings, inspect all systems, elements and finishes to assess their existing condition, reasonable life expectancy, and need for renovation, repair or restoration, investigate local codes, ordinances and other regulatory requirements that might have an impact on the acquisition. The contractor shall produce a written report stating the findings and conclusions of the inspections, as described above. An inspection to determine the correction of deficient items pointed out in the above report should be included.

2.4. SCHEDULE FOR DELIVERABLES

Complete all work within time specified below. The following schedule of intermediate deliverable dates may be adjusted to accommodate unforeseen events during the work:

Review the Scope of Work and Adjust according to technical evaluation, providing the following deliverables:

- 2.3.1 Pre-Construction Services
- 2.3.1.1 Review 1 within 5 business days after receipt of preliminary architectural drawings and specifications.
- 2.3.1.2 Review 2 within 5 business days after receipt of revised drawings and specifications. Revised drawings will be provided by the developer approximately 45 days after acceptance of the preliminary drawings by the U.S. government.
- 2.3.2 Services During Construction TBD (duration not to exceed 14 months, allow for a minimum of 20 inspections)
- 2.3.3 Post-Construction Services TBD (duration not to exceed 1 month, allow for a minimum of 2 inspections)

2.5. STATEMENT OF QUALIFICATIONS

The following information shall be provided:

- 1. Background information on the Contractor.
- 2. Relevant qualifications of the individuals inspecting the properties.
- 2. A listing of the Contractor's recent work in residential construction and/or inspection.
- 3. A listing of recent prior work performed for the U.S. Embassy, if any.
- 4. Relevant awards and recognitions.
- 5. References

3. CONTRACT ADMINISTRATION

The Contractor shall maintain all contact with the US Government through the Contracting Officer's Representative (COR) and OBO Planning Manager:

U.S. Department of State ATTN: Ralph Delarue Washington, DC 20521-6010

Tel: +97124142676 Fax: +97124142237

Email: DelarueRE@state.gov

Courier/hand deliveries to:

U.S. Department of State Overseas Building Operations Attn: Kevin Bothwell 1701 North Fort Myer Drive Arlington, Virginia 22209

Submissions under this contract if sent by UPS or FED-EX should be addressed to:

U.S. Department of State Overseas Building Operations Attn: Kevin Bothwell, 902E 1701 North Fort Myer Drive Arlington, Virginia 22209 703.875.7040

4. LIST OF ATTACHMENTS

The description of the work in this task order refers to project-specific background documentation and data prepared by OBO or others. The following reports, surveys, and other information are to be used for the design of the project:

DESIGNAT OR	TITLE OR DESCRIPTION	AUTH OR	DATE
A			

(END OF STATEMENT-OF-WORK)

CLAUSES FOR PURCHASE ORDERS AND BLANKET PURCHASE AGREEMENTS AWARDED BY OVERSEAS CONTRACTING ACTIVITIES (Current thru FAC 2005-73-75)

COMMERCIAL ITEMS

FAR 52.252-2 Clauses Incorporated By Reference (FEB 1998)

This purchase order or BPA incorporates the following clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this address: https://www.acquisition.gov/far

DOSAR clauses may be accessed at: http://www.statebuy.state.gov/dosar/dosartoc.htm

5. FEDERAL ACQUISITION REGULATION (48 CFR CHAPTER 1) CLAUSES

NUMBER	TITLE	DATE
52.204-9	Personal Identity Verification of Contractor Personnel (if	JAN 2011
	contractor requires physical access to a federally-	
	controlled facility or access to a Federal information	
	system)	
52.212-4	Contract Terms and Conditions – Commercial Items	MAY 2014
	(Alternate I (MAY 2014) of 52.212-4 applies if the order	
	is time-and-materials or labor-hour)	
52.225-19	Contractor Personnel in a Diplomatic or Consular	MAR 2008

	Mission Outside the United States (applies to services at	
	danger pay posts only)	
52.227-19	Commercial Computer Software License (if order is for	DEC 2007
	software)	
52.228-3	Workers' Compensation Insurance (Defense Base Act)	JUL 2014
	(if order is for services and contractor employees are	
	covered by Defense Base Act insurance)	
52.228-4	Workers' Compensation and War-Hazard Insurance (if	APR 1984
	order is for services and contractor employees are <u>not</u>	
	covered by Defense Base Act insurance)	

The following clause is provided in full text:

52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS—COMMERCIAL ITEMS (JUN 2014)

- (a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items:
 - (1) <u>52.222-50</u>, Combating Trafficking in Persons (Feb 2009) (<u>22 U.S.C. 7104(g)</u>).
 - ___Alternate I (Aug 2007) of <u>52.222-50</u> (<u>22 U.S.C. 7104(g)</u>).
 - (2) <u>52.233-3</u>, Protest After Award (Aug 1996) (<u>31 U.S.C. 3553</u>).
- (3) <u>52.233-4</u>, Applicable Law for Breach of Contract Claim (OCT 2004)"(Public Laws 108-77 and 108-78 (<u>19 U.S.C. 3805 note</u>)).
- (b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:
- X (1) <u>52.203-6</u>, Restrictions on Subcontractor Sales to the Government (Sept 2006), with Alternate I (Oct 1995) (<u>41 U.S.C. 4704</u> and <u>10 U.S.C. 2402</u>).
- <u>X</u> (2) <u>52.203-13</u>, Contractor Code of Business Ethics and Conduct (Apr 2010) (<u>41 U.S.C.</u> <u>3509</u>)).
- __(3) <u>52.203-15</u>, Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (June 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)
- X (4) <u>52.204-10</u>, Reporting Executive Compensation and First-Tier Subcontract Awards (Jul 2013) (Pub. L. 109-282) (<u>31 U.S.C. 6101 note</u>).
 - __ (5) [Reserved].
- __ (6) <u>52.204-14</u>, Service Contract Reporting Requirements (Jan 2014) (Pub. L. 111-117, section 743 of Div. C).
- X (7) <u>52.204-15</u>, Service Contract Reporting Requirements for Indefinite-Delivery Contracts (Jan 2014) (Pub. L. 111-117, section 743 of Div. C).
- X (8) <u>52.209-6</u>, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Aug 2013) (31 U.S.C. 6101 note).
- <u>X</u> (9) <u>52.209-9</u>, Updates of Publicly Available Information Regarding Responsibility Matters (Jul 2013) (41 U.S.C. 2313).

(10) <u>52.209-10</u> , Prohibition on Contracting with Inverted Domestic Corporations (May 2012) (section 738 of Division C of Pub. L. 112-74, section 740 of Division C of Pub. L. 111 117, section 743 of Division D of Pub. L. 111-8, and section 745 of Division D of Pub. L. 110-161) (11) <u>52.219-3</u> , Notice of HUBZone Set-Aside or Sole-Source Award (Nov 2011)
(<u>15 U.S.C. 657a</u>).
(12) <u>52.219-4</u> , Notice of Price Evaluation Preference for HUBZone Small Business Concerns (JAN 2011) (if the offeror elects to waive the preference, it shall so indicate in its offer)
(<u>15 U.S.C. 657a</u>).
(13) [Reserved]
(14)(i) <u>52.219-6</u> , Notice of Total Small Business Set-Aside (Nov 2011) (<u>15 U.S.C. 644</u>) (ii) Alternate I (Nov 2011).
(iii) Alternate II (Nov 2011).
(15)(i) <u>52.219-7</u> , Notice of Partial Small Business Set-Aside (June 2003) (<u>15 U.S.C. 644</u>) (ii) Alternate I (Oct 1995) of <u>52.219-7</u> .
(iii) Alternate II (Mar 2004) of <u>52.219-7</u> .
(16) <u>52.219-8</u> , Utilization of Small Business Concerns (May 2014) (<u>15 U.S.C. 637(d)(2)</u>
and (3)).
(17)(i) <u>52.219-9</u> , Small Business Subcontracting Plan (Jul 2013) (<u>15 U.S.C. 637(d)(4)</u>).
(ii) Alternate I (Oct 2001) of <u>52.219-9</u> . (iii) Alternate II (Oct 2001) of <u>52.219-9</u> .
(iii) Alternate II (Oct 2001) of <u>52.219-9</u> . (iv) Alternate III (Jul 2010) of <u>52.219-9</u> .
(18) 52.219-13, Notice of Set-Aside of Orders (Nov 2011)(15 U.S.C. 644(r)).
(19) <u>52.219-14</u> , Limitations on Subcontracting (Nov 2011) (<u>15 U.S.C. 637(a)(14)</u>).
(20) <u>52.219-16</u> , Liquidated Damages—Subcon-tracting Plan (Jan 1999) (<u>15 U.S.C.</u>
637(d)(4)(F)(i)).
(21)(i) 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged
Business Concerns (OCT 2008) (10 U.S.C. 2323) (if the offeror elects to waive the adjustment, it
shall so indicate in its offer).
(ii) Alternate I (June 2003) of <u>52.219-23</u> .
(22) <u>52.219-25</u> , Small Disadvantaged Business Participation Program—Disadvantaged
Status and Reporting (Jul 2013) (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).
(23) <u>52.219-26</u> , Small Disadvantaged Business Participation Program—
Incentive Subcontracting (Oct 2000) (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323). (24) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside
(Nov 2011) (15 U.S.C. 657 f).
(140 2011) (15 C.S.C. 0571). (25) 52.219-28, Post Award Small Business Program Rerepresentation (Jul 2013)
(15 U.S.C. 632(a)(2)).
(26) 52.219-29, Notice of Set-Aside for Economically Disadvantaged Women-Owned
Small Business (EDWOSB) Concerns (Jul 2013) (15 U.S.C. 637(m)).
(27) <u>52.219-30</u> , Notice of Set-Aside for Women-Owned Small Business (WOSB) Concerns
Eligible Under the WOSB Program (Jul 2013) (15 U.S.C. 637(m)).
(28) <u>52.222-3</u> , Convict Labor (June 2003) (E.O. 11755).
(29) <u>52.222-19</u> , Child Labor—Cooperation with Authorities and Remedies (Jan 2014)
(E.O. 13126).
(30) <u>52.222-21</u> , Prohibition of Segregated Facilities (Feb 1999).
(31) <u>52.222-26</u> , Equal Opportunity (Mar 2007) (E.O. 11246).
(32) <u>52.222-35</u> , Equal Opportunity for Veterans (Sep 2010)(<u>38 U.S.C. 4212</u>).

- PR4543910 (33) 52.222-36, Affirmative Action for Workers with Disabilities (Oct 2010) (29 U.S.C. 793). __ (34) <u>52.222-37</u>, Employment Reports on Veterans (SEP 2010) (38 U.S.C. 4212). (35) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). (36) 52.222-54, Employment Eligibility Verification (Aug 2013). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial items as prescribed in 22.1803.) (37)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items (May 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.) __ (ii) Alternate I (May 2008) of <u>52.223-9</u> (<u>42 U.S.C. 6962(i)(2)(C)</u>). (Not applicable to the acquisition of commercially available off-the-shelf items.) (38)(i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (JUN 2014) (E.O. 13423 and 13514). __ (ii) Alternate I (Jun 2014) of 52.223-13. __ (39)(i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (E.O. 13423 and 13514). __ (ii) Alternate I (Jun 2014) of 52.223-14. X (40) 52.223-15, Energy Efficiency in Energy-Consuming Products (DEC 2007) (42) U.S.C. 8259b). _ (41)(i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (Jun 2014) (E.O. 13423 and 13514). __ (ii) Alternate I (Jun 2014) of 52.223-16. X (42) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (Aug 2011) (E.O. 13513). __ (43) <u>52.225-1</u>, Buy American—Supplies (May 2014) (<u>41 U.S.C. chapter 83</u>). (44)(i) 52.225-3, Buy American—Free Trade Agreements—Israeli Trade Act (May 2014) (41 U.S.C. chapter 83, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, Pub. L. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43. __ (ii) Alternate I (May 2014) of <u>52.2</u>25-3. __ (iii) Alternate II (May 2014) of 52.225-3. __ (iv) Alternate III (May 2014) of 52.225-3. _ (45) <u>52.225-5</u>, Trade Agreements (Nov 2013) (<u>19 U.S.C. 2501</u>, et seq., <u>19 U.S.C. 3301</u> note). _X_ (46) 52.225-13, Restrictions on Certain Foreign Purchases (June 2008) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury). __ (47) <u>52.225-26</u>, Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note). (48) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).
- __ (49) <u>52.226-5</u>, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (<u>42 U.S.C. 5150</u>).
 __ (50) <u>52.232-29</u>, Terms for Financing of Purchases of Commercial Items (Feb 2002)
- __ (50) <u>52.232-29</u>, Terms for Financing of Purchases of Commercial Items (Feb 2002) (<u>41 U.S.C. 4505</u>, <u>10 U.S.C. 2307(f)</u>).

- __ (51) <u>52.232-30</u>, Installment Payments for Commercial Items (Oct 1995) (<u>41 U.S.C. 4505</u>, <u>10 U.S.C. 2307(f)</u>).
- X (52) 52.232-33, Payment by Electronic Funds Transfer—System for Award Management (Jul 2013) (31 U.S.C. 3332).
- __ (53) <u>52.232-34</u>, Payment by Electronic Funds Transfer—Other than System for Award Management (Jul 2013) (31 U.S.C. 3332).
 - __ (54) <u>52.232-36</u>, Payment by Third Party (May 2014) (<u>31 U.S.C. 3332</u>).
 - __ (55) <u>52.239-1</u>, Privacy or Security Safeguards (Aug 1996) (<u>5 U.S.C. 552a</u>).
- __ (56)(i) <u>52.247-64</u>, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and <u>10 U.S.C. 2631</u>).
 - __ (ii) Alternate I (Apr 2003) of 52.247-64.
- (c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

[Contracting Officer: check as appropriate.]

- __ (1) <u>52.222-41</u>, Service Contract Labor Standards (May 2014) (<u>41 U.S.C. chapter 67</u>).
- __ (2) <u>52.222-42</u>, Statement of Equivalent Rates for Federal Hires (May 2014) (<u>29 U.S.C. 206</u> and <u>41 U.S.C. chapter 67</u>).
- __ (3) <u>52.222-43</u>, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (May 2014) (<u>29 U.S.C. 206</u> and <u>41 U.S.C. chapter 67</u>).
- __ (4) <u>52.222-44</u>, Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
- ___(5) <u>52.222-51</u>, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements (May 2014) (41 U.S.C. chapter 67).
- __ (6) <u>52.222-53</u>, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements (May 2014) (<u>41 U.S.C. chapter 67</u>).
 - __ (7) <u>52.222-17</u>, Nondisplacement of Qualified Workers (May 2014) (E.O.13495).
- __ (8) <u>52.226-6</u>, Promoting Excess Food Donation to Nonprofit Organizations (May 2014) (<u>42</u> <u>U.S.C. 1792</u>).
 - (9) 52.237-11, Accepting and Dispensing of \$1 Coin (Sept 2008) (31 U.S.C. 5112(p)(1)).
- (d) *Comptroller General Examination of Record*. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at <u>52.215-2</u>, Audit and Records—Negotiation.
- (1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

- (2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR <u>Subpart 4.7</u>, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.
- (3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.
- (e)(1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause—
- (i) <u>52.203-13</u>, Contractor Code of Business Ethics and Conduct (Apr 2010) (<u>41 U.S.C.</u> 3509).
- (ii) <u>52.219-8</u>, Utilization of Small Business Concerns (May 2014) (<u>15 U.S.C. 637(d)(2)</u> and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$650,000 (\$1.5 million for construction of any public facility), the subcontractor must include <u>52.219-8</u> in lower tier subcontracts that offer subcontracting opportunities.
- (iii) <u>52.222-17</u>, Nondisplacement of Qualified Workers (May 2014) (E.O. 13495). Flow down required in accordance with paragraph (l) of FAR clause <u>52.222-17</u>.
 - (iv) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).
 - (v) 52.222-35, Equal Opportunity for Veterans (Sep 2010) (38 U.S.C. 4212).
- (vi) <u>52.222-36</u>, Affirmative Action for Workers with Disabilities (Oct 2010) (<u>29 U.S.C. 793</u>).
- (vii) <u>52.222-40</u>, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause <u>52.222-40</u>.
 - (viii) 52.222-41, Service Contract Labor Standards (May 2014) (41 U.S.C. chapter 67).
 - (ix) 52.222-50, Combating Trafficking in Persons (Feb 2009) (22 U.S.C. 7104(g)).
 - __Alternate I (Aug 2007) of <u>52.222-50</u> (<u>22 U.S.C. 7104(g)</u>).
- (x) <u>52.222-51</u>, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) (<u>41 U.S.C. chapter 67</u>).
- (xi) <u>52.222-53</u>, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (May 2014) (<u>41 U.S.C. chapter 67</u>).
 - (xii) 52.222-54, Employment Eligibility Verification (Aug 2013).
- (xiii) <u>52.225-26</u>, Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
- (xiv) <u>52.226-6</u>, Promoting Excess Food Donation to Nonprofit Organizations (May 2014) (<u>42 U.S.C. 1792</u>). Flow down required in accordance with paragraph (e) of FAR clause <u>52.226-6</u>.

- (xv) <u>52.247-64</u>, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (<u>46 U.S.C. Appx. 1241(b)</u> and <u>10 U.S.C. 2631</u>). Flow down required in accordance with paragraph (d) of FAR clause <u>52.247-64</u>.
- (2) While not required, the contractor may include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of clause)

DEPARTMENT OF STATE ACQUISITION REGULATION (48 CFR Chapter 6) CLAUSES

NUMBER	TITLE	DATE
652.225-71	Section 8(a) of the Export Administration Act of 1979, As Amended (if order exceeds simplified acquisition threshold)	AUG 1999
652.229-70	Excise Tax Exemption Statement for Contractors Within	JUL 1988
	the United States (for supplies to be delivered to an overseas post)	
652.229-71	Personal Property Disposition at Posts Abroad	AUG 1999
652.237-72	Observance of Legal Holidays and Administrative Leave (for services where performance will be on-site in a Department of State facility)	APR 2004
652.239-71	Security Requirements for Unclassified Information Technology Resources (for orders that include information technology resources or services in which the contractor will have physical or electronic access to Department information that directly supports the mission of the Department)	SEP 2007
652.242-70	Contracting Officer's Representative (if a COR will be named for the order) Fill-in for paragraph b: "The COR is"	AUG 1999
652.242-71	Notice of Shipments (for overseas shipment of supplies)	JUL 1988
652.242-73	Authorization and Performance	AUG 1999
652.243-70	Notices	AUG 1999

The following clause is provided in full text, and is applicable for orders for services that will require contractor employees to perform on-site at a DOS location and/or that require contractor employees to have access to DOS information systems:

652.204-70 Department of State Personal Identification Card Issuance Procedures (MAY 2011)

- (a) The Contractor shall comply with the Department of State (DOS) Personal Identification Card Issuance Procedures for all employees performing under this contract who require frequent and continuing access to DOS facilities, or information systems. The Contractor shall insert this clause in all subcontracts when the subcontractor's employees will require frequent and continuing access to DOS facilities, or information systems.
- (b) The DOS Personal Identification Card Issuance Procedures may be accessed at http://www.state.gov/m/ds/rls/rpt/c21664.htm.

(End of clause)